



PATENT  
Our Docket: P-IS 4373

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Biaoyang Lin

) Examiner: Not Yet Assigned

Serial No.: 09/821,812 ✓

) Group Art Unit: Unknown

Filed: March 28, 2001

For: ANDROGEN REGULATED PROSTATE  
SPECIFIC NUCLEIC ACIDS

) I hereby certify that this correspondence  
) is being deposited with the United States  
) Postal Service as first class mail in an  
) envelope addressed to: Commissioner for  
) Patents, Washington, D.C., 20231, on  
) May 23, 2001.

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

May 23, 2001  
Date of Signature

**TRANSMITTAL**

Dear Sir:

In connection with the above-identified application,  
enclosed please find the following documents:

- X 1. An executed Declaration for Patent Application in the  
above-identified U.S. Patent Application.
- X 2. A Recordation Form Cover Sheet and an executed  
Assignment for the above-identified U.S. Patent  
Application.
- X 3. An executed Small Entity Statement
- X 4. An executed Power of Attorney for Patent Application by  
Assignee.
- X 5. An executed Statement Under 37 C.F.R. §3.73(b) with  
copy of executed Assignment.
- X 6. Paper copy of Sequence Listing, pages 1 through 16.
- X 7. Statement Under 37 C.F.R. § 1.821(f) and (g).
- X 8. Sequence listing in computer readable form.
- X 9. Twenty-two (22) Sheets of formal drawings.

The filing fee has been calculated as shown below:

	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	71 - 20	=	51	x	\$9	\$18	=	\$459
INDEPEN- DENT CLAIMS	30 - 3	=	27	x	\$40	\$80	=	\$1080
MULTIPLE DEPENDENT CLAIMS PRESENTED: <u>      </u> YES <u>  x  </u> NO					\$135	\$270	=	\$0
					BASIC FEE		\$355	\$710
					TOTAL FEE		\$1894	

05/31/2001 SPENB001 00000093 03821812

01 FC:201 355.00 OP  
02 FC:202 1080.00 OP  
03 FC:203 459.00 OP  
04 FC:205 65.00 OP



Inventor: Diaoyang Lin  
Serial No.: 09/821,812  
Filed: March 28, 2001  
Page 2

- ☒ 10. A check in the amount of \$1999.00 to cover the filing fee of \$1894.00, the surcharge fee of \$65.00, and \$40.00 for recording an Assignment for the application is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted

Date: May 23, 2001

By: Andrea L. Gashler  
Andrea L. Gashler  
Reg. No. 41,029

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949  
USPTO CUSTOMER NO. 23601



PATENT  
Our Docket: P-IS 4373

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:                    )  
Biaoyang Lin                                )  
  )  
Serial No.: 09/821,812                    )  
  )  
Filed: March 28, 2001                    )  
  )  
For: ANDROGEN REGULATED                )  
      PROSTATE SPECIFIC                 )  
      NUCLEIC ACIDS                        )  
  )

\_\_\_\_\_  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**SMALL ENTITY STATEMENT**

The U.S. Patent and Trademark (USPTO) permits parties that establish status as a Small Entity to pay certain reduced fees (all citations to 37 C.F.R. § 1.27 except as noted). To be entitled to Small Entity Status, a party must be at least one of the following:

**(1) Individual person:**

An individual person, including an inventor and persons to whom an inventor has transferred some rights in the invention.

**(2) Small business concern:**

A business concern whose number of employees, including affiliates, does not exceed 500 persons.

"Business concern" means individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust or cooperative. If the concern is a joint venture, participation by foreign business entities may not be more than 49%.

Inventor:           Biaoyang Lin  
Serial No.:        09/821,812  
Filed:             March 28, 2001  
Page 2 of 4

The "number of employees" is the average number of employees, including the employees of its domestic and foreign affiliates, based on numbers of employees for each of the pay periods for the preceding completed 12 calendar months.

"Employees" includes all individuals employed on a full-time, part-time, temporary, or other basis. Part-time and temporary employees are counted the same as full-time employees. If a concern has not been in business for 12 months, use the average number of employees for each of the pay periods it has been in business.

Concerns are "affiliates" of each other when one concern directly or indirectly controls or has the power to control the other, or when a third party or parties controls or has the power to control both concerns.

**(3) Nonprofit organization:**

A university or other institution of higher education located in any country.

An organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a). Also included are such organizations located in a foreign country that would qualify if it were located in this country.

A nonprofit scientific or educational organization qualified under a nonprofit organization statute of a U.S. state. Also included are such organizations located in a foreign country that would qualify if it were located in this country.

Please note that a license to the Government resulting from a rights determination under Executive Order 10096 does not constitute a license that would prohibit claiming Small Entity Status. Similarly, for small business concerns and nonprofit organizations, a license to a Federal agency resulting from a

Inventor:           Biaoyang Lin  
Serial No.:        09/821,812  
Filed:             March 28, 2001  
Page 3 of 4

funding agreement with that agency under 35 U.S.C. § 202(c)(4) is not a license that would prohibit claiming Small Entity Status.

I hereby assert that I am empowered to sign on behalf of the party identified below ("Party"). Persons empowered to sign include an inventor him- or herself or an authorized officer of the assignee, where the assignee has at least an undivided part interest in the application or patent.

I have made a determination of the Party's entitlement to Small Entity Status, including a determination that all parties holding rights in the invention qualify for Small Entity Status.

I hereby assert that the Party has not assigned, granted, conveyed or licensed--and is under no obligation under contract or law to do so--any rights in the invention to any other party that would not qualify as a Small Entity. If the rights in the invention held by the Party are not exclusive, each party having rights in the invention is listed below:

---

**Insert name of other party or "None"**

---

**Address of other party (if applicable)**

Separate assertions of Small Entity Status should be obtained from each party having rights to the invention.

Inventor:           Biaoyang Lin  
Serial No.:        09/821,812  
Filed:             March 28, 2001  
Page 4 of 4

I hereby assert that the Party is entitled to be  
accorded Small Entity Status by the USPTO for the application or  
patent identified above.

I understand that Small Entity Status must be newly  
determined when the issue fee and each maintenance fee is due.  
If there is any change resulting in loss of entitlement to Small  
Entity Status, I acknowledge the duty to file a notification to  
the USPTO in this application or patent before or upon paying the  
fee.

I understand that Small Entity Status must be  
separately established in any related application, including  
continuation, divisional, continuation-in-part, continued  
prosecution application or reissue application.

I understand that any attempt to establish Small Entity  
Status improperly, deceptively or fraudulently will be considered  
a fraud practiced on the USPTO and may result in abandonment of  
the application or jeopardize the validity and enforceability of  
any resulting patent.

Date

5/21/01

Signature

*Leroy Hood*

Leroy E. Hood  
Printed Name

President and Director  
Title



PATENT

Our Docket: P-IS 4373

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Biaoyang Lin

Serial No.: 09/821,812

Filed: March 28, 2001

For: ANDROGEN REGULATED PROSTATE  
SPECIFIC NUCLEIC ACIDS

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

)  
) Examiner: Not Yet Assigned  
)

) Group Art Unit: Unknown  
)

) I hereby certify that this correspondence  
) is being deposited with the United States  
) Postal Service as first class mail in an  
) envelope addressed to: Commissioner for  
) Patents, Washington, D.C., 20231, on  
) May 23, 2001.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

May 23, 2001  
Date of Signature

STATEMENT UNDER 37 C.F.R. § 1.821(f) and (g)

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR § 1.821(c) and (e), respectively, are the same.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.821(g) herein does not include new matter.

Respectfully submitted,

May 23, 2001

Date

Andrea L. Gashler

Andrea L. Gashler  
Registration No. 41,029  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601



Paper copy of Sequence Listing,  
pages 1 through 16  
P-IS 4373  
Serial No.: 09/821,812

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231, on May 23, 2001.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

May 23, 2001  
Date of Signature





Executed Small Entity Statement  
P-IS 4373  
Serial No.: 09/821,812

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231, on May 23, 2001.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

May 23, 2001  
Date of Signature



Twenty-two (22) Sheets of Formal  
Drawings  
P-IS 4373  
Serial No.: 09/821,812

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: Commissioner for Patents,  
Washington, D.C. 20231, on May 23, 2001.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

May 23, 2001  
Date of Signature